

<p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p>	<p>Policy Number</p> <p style="text-align: center;">3.19</p> <p>Date Filed</p> <p style="text-align: center;">*</p>	<p>Total Pages</p> <p style="text-align: center;">3</p> <p>Effective Date</p> <p style="text-align: center;">September 20, 2005</p>
<p>References</p> <p>American with Disabilities Act KRS 18A.138 ACA 4-4053, P & P ACA 3-3051 and 3-3052</p>	<p>Subject</p> <p style="text-align: center;">REASONABLE ACCOMMODATION</p>	

I. DEFINITIONS

“Disability” means a physical or mental impairment that substantially limits one or more major life activities.

“Essential function” means those duties which are required to carry out the purpose of the job and removal of which shall fundamentally alter the job.

“Qualified individual with a disability” means an individual with a disability who meets all the skill, experience, education and other job-related requirements for a position, and who, with or without reasonable accommodation, is able to perform the essential functions of the position.

“Reasonable accommodation” means a modification or adjustment to a job, employment practice or work environment that makes it possible for an individual with a disability to perform the essential functions of his job. Examples of reasonable accommodation may include, but shall not be limited to: physical alterations to the work place or station, special equipment, modification of policy or procedure, or flexible work schedule.

“Undue burden” means significant difficulty or expense.

II. POLICY and PROCEDURES

It is the policy of Corrections to make reasonable accommodation to the known physical or mental limitations of an applicant or employee with a disability when it is necessary to:

1. ensure equal access to the application process;
2. enable a qualified individual with a disability to perform the essential functions of a job; and
3. to ensure that an employee with a disability enjoys equal benefits and privileges of employment.

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The obligation to provide reasonable accommodation applies only to accommodations that are directly related to the person's disability and the job; it does not apply to accommodations that are requested for personal use or due to personal preference. The agency is not required to provide a reasonable accommodation that imposes an undue financial or administrative burden as determined by the agency head.

A. Application for Employment

An applicant for employment, who indicates that he needs accommodation in the application testing procedure for state government, shall be provided with the name, address and phone number of the ADA Coordinator in the Kentucky Personnel Cabinet. The Personnel Cabinet is responsible for ensuring that the application process, testing materials and testing sites are accessible.

Corrections is responsible for providing accommodation to qualified applicants during the interview process. Reasonable accommodation for the interview process may include, but shall not be limited to: an alternative interview location, if the facility or office at which the interviews are usually conducted is not accessible; a qualified interpreter at the request of an individual who is deaf or hard of hearing and who speaks sign language; and interview materials in large print.

B. Reasonable Accommodation for Employees

A current employee who needs reasonable accommodation to perform the essential functions of his job is required to make his need known to his supervisor, the ADA Coordinator or the personnel officer. The employee does not have to use the words "reasonable accommodation," but needs to advise the agency that he has a disability and as a result is having difficulty performing the functions of the job.

Once an employee has made a request for accommodation, if the accommodation is not obvious and easily provided, the following process shall be followed.

The ADA Coordinator shall be responsible for maintaining documentation of all steps of the accommodation process. The Department ADA Coordinator shall be an employee of the Division of Personnel Services.

1. Determine what the essential functions of the job are.
2. Meet with the individual to determine what his limitations are and how they relate to the essential job functions.

The Coordinator may require that the employee provide written documentation from a healthcare professional that details the

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employee's limitations and any suggested accommodation. This documentation shall not be kept in the employee's personnel file, but in a separate, confidential medical file.

3. Identify potential accommodations. Compare the effectiveness of each of the accommodations. The accommodation requested by the employee all be given first consideration, however, the agency may choose to provide an accommodation that is less expensive or easier to provide.

If the steps outlined in this process do not identify an appropriate accommodation, assistance shall be sought through the Department's ADA Coordinator or the Personnel Director. Agencies and resources outside Corrections shall be consulted to help identify an accommodation in complicated situations before it is determined that an accommodation is not possible or may pose an undue burden.